

Committee of the Whole Report

December 13, 2016

The Committee of the Whole met Tuesday, December 13, 2016 at 6:00 p.m. in the Quorum Court Meeting Room, Benton County Administration Building, Third Floor, 215 East Central Avenue, Bentonville, Arkansas.

14 JPs Present: Sheridan, Shadlow, J. Harrison, Allen, K. Harrison, Adams, Sandlin, Anglin, Slinkard, *Chiocco, Leadabrand, Meyers, Moore, Moehring
1 JP Absent: Jones

Others Present: Assessor Linda Hambrick, Comptroller Brenda Guenther, Assessor-Elect Rod Grieve, JP-Elect Bob Bland, Road Department Jay Frasier and Ashley Kirby, Benton County Health Department Loy Bailey

Media: Tom Sissom – Northwest Arkansas Democrat-Gazette

Committee of the Whole Chair JP Moore called the meeting to order at 6:00 p.m.

PUBLIC COMMENTS

None.

JP Sheridan gave a handouts to JPs and asked they read over it and ask any questions they may have on his opinion of issues within Benton County.

JP Moore stated that his understanding of this document was that our current one percent that is divided between cities and county should be rededicated at 40% to the courthouse facilities.

JP Sheridan replied that in 1990 the sales tax was automatically split throughout the cities and the county. He stated that it was his opinion that for the facilities to be built it should be split between the cities and the counties, for both the cities and the county would be using the facilities.

JP K. Harrison stated that he thought that the county should have a re-allegation of the taxes to pay for the facilities.

JP Anglin commented that she had a concern that the cities have already counted in their budgets this money, but thought it would be something both the counties and the cities could sit down and discuss.

JP Jones pointed out that the article does say the county and the cities can form a local agreement. He stated that this means we would be able to sit down with them and discuss a plan, that way they would be able to budget and plan for this change. He stated that he felt they should see this as being a reasonable request.

JP Shadlow commented that the cities are not going to like this because they will be losing money. She asked if there was a way to make the cities chip in since they will be using it possibly more.

JP Allen stated that as Benton County continues to grow the cities will annex in and therefor the county will lose some of their ration. He recommended that they do have a sit down with the cities, with their various mayors present and see what they think about this idea.

JP J. Harrison stated that he thought the comments that JP Sheridan had stated in the handout were correct. He stated that the cities would not be losing money, they would just be putting it into the court facilities. He stated that when it is all said and done everyone will be using the courthouse facilities.

JP Sandlin thanked JP Sheridan for always doing his due diligence and for researching all his information.

JP Moore stated that there was always a way to do some kind of negotiation, that way the cities do not feel they are giving all of their money up. He stated that instead of taking \$40 million only take \$5 million. He stated another way would be to maybe take it equally out of everyone's cut.

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Sandlin

Motion passed by unanimous show of hands vote.

1. A Proposed Resolution Expressing the Intent of The Quorum Court to Transfer 2016 Turnback of Budget Appropriations to The Capital Projects Fund (2/3) and Health Insurance Fund (1/3); Sponsor JP Jones

JP Jones explained that this resolution is a non-binding agreement, with the intent to set aside 1/3 of the turnback with a cap of \$.5 million to be put into the health fund and the remainder to go into the capital projects fund.

JP Jones made a motion to forward to the December 20, 2016 Quorum Court Agenda, seconded by JP Adams

Motion passed by unanimous show of hands vote.

2. An Appropriation Ordinance to Establish The Benton County Annual Operating Budget For The Calendar Year 2017; Sponsor JP Jones

JP Jones explained that this appropriation ordinance has been discussed at all the budget meetings for the 2017 budget.

JP Jones made a motion to forward to the December 20, 2016 Quorum Court Agenda, seconded by JP J. Harrison

Comptroller Brenda Guenther reported that there was one change made in regards to the overtime used along with holiday pay. She stated that the way Christmas Eve, Christmas and New Year's

fall the amount would be a total of \$50,000 and based on that number the net surplus comes out to \$102,000.

JP Adams commented that the gentlemen that we appointed as the Intern Sheriff for Benton County has done an outstanding job and we do not want to lose him. He stated that Sheriff Gilbert as of January 1, 2017 will be taking the position of the Chief Deputy for the Sheriff's office. JP Adams stated that he will be taking a \$25,000 pay cut when he steps down to this position. He pointed out that Sheriff Gilbert will be missing out on the elected officials pay and the 3% raise of the employees once it is time for him to step down. JP Adams asked if they could amend the budget and add an additional \$10,000 to increase the pay of the Chief Deputy.

JP Sandlin asked if he had checked the maximum of the Chief Deputy's pay under the pay scale in Benton County.

Brenda Guenther stated that he is at a grade 24, and that if they did this increase he would be at 105% of the pay scale.

JP Adams stated that he was sorry he did not look into that, but he had been thinking about this for some time and took it upon himself to ask for this raise.

JP Sandlin stated that she has no issue with bumping him up, because it is not unprecedented for someone who is above qualified. She stated that she is not certain that they should take him up the full \$10,000.

JP Allen stated that he did not disagree with any of the comments about Sheriff Gilbert and his hard work, but he knew this position was only temporary when he took it. He stated that Sheriff Gilbert knew at some point he would be moving down to the Chief Deputy position under Sheriff Holloway and knew what that pay would be. JP Allen stated that he strongly opposes doing this again with someone when others in the county don't get the same treatment. He stated that he did not think this change needed to happen at this time.

JP K. Harrison stated that he believed the courts should look at the position itself and look at it as an ungraded position and change it to a salaried position. He stated that that position continues to grow in responsibilities and duties.

Barbara Ludwig reported that his step down position will not be a loss of \$25,000 because of the employment policy that states you have to compare it to other positions in that same grade.

JP Adams voiced his concern on the grade scale as rating the employees. He stated that at some point they should look at removing the Sheriff's office and the Road Department and let the people in charge of those areas pay their employees as they wish with the budget we provide them.

JP Adams made a motion to amend the 2017 budget; motion died for a lack of a second.

JP Meyers stated that he did not think that the elected officials should receive more in raises than the employees do, so he could not support the budget as it is at this time.

JP Meyers made a motion that all elected officials receive no more than a 3% raise.

Motion died for a lack of a second

JP Susan stated that she disagreed with the raise for the Quorum Court members. She stated that she looks at her position as a service while the court voted in a \$25 raise for themselves last year and now this year. She stated that it is the principal of the matter that makes her not support the JPs raises. JP Anglin stated that she did support the raise of the elected officials because this is their way of living. JP Anglin stated that at this time she was unable to support the budget as is.

JP Shadlow stated that she agreed with what JP Meyers and JP Anglin were saying about the raises, but she believed that those people who ran for office knew what the pay was when they ran.

JP Allen pointed out that not a single elected official came and asked for a raise. He stated that this was recommended through the survey study they did through the state. JP Allen stated that we have been comparing to different counties, while we are the second largest and fastest growing county. He stated that you would think that Benton County would be the largest paid county, but we are not. JP Allen commented on the JPs raises as not receiving the same as the other elected officials.

JP Adams pointed out that with his small business he would not hire anyone at 100% of their pay, this way they can prove how hard they work and then get moved up.

JP Sandlin stated that no elected official came and asked for a raise, this has been an issue for years. She stated for many years we have tried to put this kind of system in place and now is the time to give everyone a system that will work for the future.

JP K. Harrison stated that every year we go through this same issue and he supports the way the budget stands now, but it is now time to pass this and move on.

JP Meyers stated that he still was against the budget, but if we were to use some of the extra money in the budget and give each employee a quarter, it would bring the amount up to \$250,000 and the surplus amount to \$38,000.

JP Meyers made a motion to increase the employees pay to a 1% COLA.

Motion died for lack of second

JP Leadabrand called for the question to approve the 2017 budget and move on with the raises.

JP Moore called for a vote.

JP Jones stated for the last couple of years we have asked that the Personnel Committee come up with an ordinance that would take this off our hands. He stated there is never a good time to bring this information up, but if we had this ordinance it would take it out of our hands. JP Jones stated that on the overtime, Brenda stated that we have \$50,000, that is more than we had thought we would be getting.

Brenda Guenther stated that it is about \$10,000 to \$15,000 more, assuming they use all this and not put it towards their comp.

JP Allen stated that we have \$20,000, as discussed.

JP Jones stated that the only reason he did not go for what JP Meyers requested was because they know that some of that extra money will be used for the communications position the County Judge Elect requested, and we need to for at least the beginning of the year know there is that money available.

JP J. Harrison stated that he will support the 2017 budget as it is. He stated that every year they have kicked the same can down the road in regards to the system. He stated that they needed to do something because once a system is put in place it will run smoother and level out.

JP Adams stated that he thinks the process has gotten a little better throughout the years. He stated that he thought the discussion has been great, but would like to remind them all not to forget all this come January.

JP Allen thanked everyone for giving their opinion and input on the budget, because everyone represents their constituents.

JP Anglin asked if she made a motion to amend the budget for the Quorum Court increase not to go into effect until the next election cycle would anyone support it.

JP Allen asked what that would accomplish for us to do that.

JP Anglin stated that it would put it off until we knew what we were going to pay and it is the principle of the matter.

JP Jones stated that it will always come back to timing, but that the Personnel Committee just needs to come up with the ordinance to move forward.

Brenda Guenther pointed out in article 6 section 1 of the budget there was a onetime payment to all the maxed out employees.

*JP Chiocco left the meeting.

JP Adams stated he thinks a lot of the reason people are being thrown off by the extra money is because of the revenue and the surplus. He stated that they needed to remember that they do still have a courts facility to build. He stated that he believed that they would pick a location and get started this year.

Motion to pass the budget ordinance to the Quorum Court, passed by show of hands vote.

12 Yeas, 2 Nays (Shadlow, Meyers), 1 Absent: Chiocco

3. An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 0414, Adult Drug Court, Fund 3028: Sponsor JP Jones

JP Jones explained that this ordinance is for the adult drug court and additional monies for the additional drug screenings. JP Jones explained this was discussed at the Finance meeting and the money is basically revolving; adult drug court pays for the additional drug screenings, then that money gets paid to the program and finally the people in the program pay the money back.

JP Jones made a motion to forward to the December 20, 2016 Quorum Court Agenda, seconded by JP Slinkard

Motion passed by unanimous show of hands vote.

4. An Appropriation Ordinance Amending Appropriation Ordinance No. O-2015-69 (2016 Benton County Budget) Authorizing A Transfer of Funds Between Categories and Line Items; Department 0403, Circuit Court Division IV, Fund 1000; Sponsor JP Jones

JP Jones explained that this ordinance is for additional telephone and fax line costs. He stated that it is zero additional monies, it is just a transfer to make sure they have enough in those line items to cover the costs.

JP Jones made a motion to forward to the December 20, 2016 Quorum Court Agenda, seconded by JP Slinkard

Motion passed by unanimous show of hands vote.

5. A Resolution Granting A Waiver of The Policy As Established in Section 2-516 of The Code Of Ordinances of Benton County Regarding Payments Within The Salary Range For Various Positions In Various Departments; Sponsor JP Jones

JP Jones explained that this resolution is a waiver for several of the different positions that will be going into effect as of January 1, 2017.

JP Jones made a motion to forward to the December 20, 2016 Quorum Court Agenda; seconded by JP Sandlin

JP Slinkard asked if since this waiver has to do with positions within the budget, should they somehow attach this waiver to the budget.

JP Moehring stated that it was his understanding that all the positions that are proposed within the waiver are currently already in the budget. He stated that if anyone needed him to, he would be happy to answer any question or go over these positions again if needed.

Motion passed by unanimous show of hands vote.

OTHER BUSINESS

JP Jones stated that the final Courthouse facilities workshop was done in early November and they had a good discussion on the different rankings as well as they looked at the different structures and there estimated cost. He pointed out the two major items discussed; (1) the ranking that was provided by the consultants and (2) the cost of the facilities. He stated that the ranking and the cost was pretty close between Hwy 102 and the full parcel of the downtown location.

JP K. Harrison stated that he would like to see the Quorum Court work as a body with the County Judge on getting a traffic study done before they make any decisions.

JP Slinkard brought up the language of the holiday pay in the budget and asked if that needed to be re-worded or if an ordinance needed to be made to complete this.

JP Allen stated that it has been discussed within the budget.

ANNOUNCEMENTS

JP Moehring announced that the swearing in ceremony would be from 9 am – 12 pm, on January 3, 2017 and that there would be an Organizational meeting before the Finance meeting on January 5, 2017.

Brenda Guenther announced that on December 20, 2016 from 3 pm – 5 pm, there would be a going away party for County Judge Bob Clinard and on December 21, 2016 from 12 pm – 1 pm, there would be a retirement party for Linda Hambrick.

JP Jones announced that the Quorum Court meeting will meet on Tuesday, December 20, 2016 at 6:00 p.m.

PUBLIC COMMENTS

None.

ADJOURNMENT

JP Moore declared the meeting adjourned at 7:28 p.m.